

**Remarks**

Applicant offers the following remarks in support of this amendment as follows.

Claim 1 and 10 have been amended. Claim 2 have been canceled.

**Issues under 35 USC 102 (b) with respect to Ayers et al (Aggressive Inlining 1997, ACM, hereafter “Ayers”)**

The Examiner has rejected claims 1-20 as being unpatentable under 35 USC 102(b) in view of Ayers.

It is respectfully submitted that Ayers fail to disclose that the interlining be performed in the backend stage. Ayers disclose that interlining be performed by the high level intermediate code optimizer (HLO). See Ayers, page 134, second full paragraph, lines 1-8. This layer is analogous to applicant's Interprocedural Analysis Phase (IPA).

The uniqueness and advantages associated with in-lining transformation in the back-end phase instead of in the IPA phase (which is analogous to Ayer's HLO) are discussed in the specification at page 4, lines 14-15 and page 18, lines 4-11.

In accordance with techniques of embodiments of the invention, in-lining transformation performed in the back-end phase is advantageous over in-lining transformation performed in the IPA phase because tasks in the back-end phase can be performed in parallel while tasks in the IPA phase is generally done in series. Further, because the back-end phase deals with a module at a time, it requires less memory than the IPA phase, which deals with a plurality of files. In-lining in the back-end phase also enables porting some of the functions related to transformation that would have been done from the IPA phase to the BE phase.

Independent claims 1 and 10 have been amended to recite, in the manner claimed, the feature that in-lining transformation be performed in the back-end phase. Original claim 15 already recited the feature, in the manner claimed, that in-lining transformation be performed in the back-end phase.

As can be appreciated from the foregoing, the claimed invention's in-lining transformation, which is performed in the back-end phase, is different from Ayer's in-lining transformation in the HLO (which is analogous to the IPA phase). For these reasons and others, it is respectfully submitted that claims 1, 10, and 15 as amended are novel, nonobvious, and patentable over Ayers, alone or in combination with any other cited art of record. The allowance of these claims is respectfully solicited.

Further, the dependent claims 2-9, 11-14, and 16-20 that depend from amended claims 1, 10, and 15 are also patentable due to their recitation of independently patentable feature in addition to their dependencies from their patentable amended parent claims. The allowance of these claims is also respectfully solicited.

Conclusion:

Applicant hereby petitions for a (1) one-month(s) extension of time to respond. Further, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
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